

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

38195.61

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/500673

INTERNATIONAL APPLICATION NO.

PCT/JP03/00002

INTERNATIONAL FILING DATE

January 6, 2003

PRIORITY DATE CLAIMED

January 4, 2002

TITLE OF INVENTION

OPTOMETRIC APPARATUS, OPTOMETRIC METHOD, AND OPTOMETRIC SERVER

APPLICANT(S) FOR DO/EO/US

Akio TOSHIMA and Takehiko YOSHIDA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - Nineteen (19) sheets of formal drawings

U.S. APPLICATION NO. **10/500673**INTERNATIONAL APPLICATION NO.  
PCT/JP03/00002ATTORNEY'S DOCKET NUMBER  
38195.6121. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. .... **\$1080.00**International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... **\$920.00**International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$770.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$730.00**International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00****ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY****\$ 1,080.00**Surcharge of **\$130.00** for furnishing the oath or declaration later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	19 - 20 =		x <b>\$18.00</b>	<b>\$ 0.00</b>
Independent claims	5 - 3 =	2	x <b>\$86.00</b>	<b>\$ 172.00</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$290.00</b>	<b>\$</b>

**TOTAL OF ABOVE CALCULATIONS =****\$ 1,252.00**☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

**SUBTOTAL =****\$ 1,252.00**Processing fee of **\$130.00** for furnishing the English translation later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =****\$ 1,252.00**Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$

**40.00****TOTAL FEES ENCLOSED =****\$ 1,292.00**Amount to be  
refunded:

\$

charged:


\$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-1353 A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KEATING & BENNETT, LLP  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030

  
SIGNATURE

Christopher A. Bennett  
NAME

46,710

REGISTRATION NUMBER

Rec'd PCT/PTO 02 JUL 2004

10/500673

VIA HAND DELIVERY  
PATENT  
38195.61

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re. application of : Akio TOSHIMA and Takehiko YOSHIDA  Serial No.: Unknown  Filed: Concurrently herewith  For: OPTOMETRIC APPARATUS, OPTOMETRIC METHOD, AND OPTOMETRIC SERVER	International Application No.: PCT/JP03/00002  International Filing Date: January 6, 2003
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**GENERAL AUTHORIZATION/REQUEST TO PETITION FOR EXTENSIONS OF TIME**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


With reference to the subject application, and pursuant to 37 C.F.R. § 1.136, Applicants hereby authorize and request the Commissioner to treat any correspondence requiring a petition for extension of time as containing such a request therefore for the appropriate length of time. This general authorization is effective during the pendency of this application, including any division or continuing application therefrom.

General Authorization/Request  
To Petition for Extensions of Time  
July 2, 2004  
Page 2 of 2

Where no check is received by the Commissioner, you are hereby authorized to charge payment of the requisite petition fees, or charge any additional fee required under 37 C.F.R. § 1.17, or credit any overpayment of same, to Deposit Account No. 50-1353.

Respectfully submitted,

Date: July 2, 2004

  
Attorneys for Applicant(s)

Joseph R. Keating  
Registration No. 37,368

Christopher A. Bennett  
Registration No. 46,710

**KEATING & BENNETT LLP**  
10400 Eaton Place, Suite 312  
Fairfax, VA 22030  
Telephone: (703) 385-5200  
Facsimile: (703) 385-5080